

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**  
**DOCKET NO. 2012- -T**

IN RE: Petition of the Office of Regulatory Staff to	)	
Rescind the Order of the Public Service	)	<b>MOTION TO RESCIND</b>
Commission Granting Class C Charter	)	<b>COMMISSION</b>
Certificate of Public Convenience And	)	<b>ORDERS</b>
Necessity to Certain Motor Carriers For	)	
Failure to Comply with Their Commission	)	
Order	)	

The South Carolina Office of Regulatory Staff ("ORS") hereby moves and requests that the Public Service Commission of South Carolina ("Commission") Rescind its Orders granting Class C Charter Certificates to Motor Carriers listed in Attachment A to this Motion (see Affidavit of Carole Chauvin).

As stated in the Orders, the Commission ruled that All Companies ("Applicants"), also referenced in Attachment A, were to file or cause to have filed with ORS within sixty (60) days of the Order "the proper license fees, proof of liability insurance (i.e. "Form E"), and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended and by 26 S.C. Code Ann. Regs. 103-100 through 103-241 (Supp. 2011) of the Commission's Rules and Regulations for Motor Carriers...."

In support of this Motion, ORS would respectfully show:

1. That as of August 23, 2012, ORS has not yet received from the Applicants the proof of insurance (i.e. "Form E") as required by 26 S.C. Code Ann. Regs. 103-171, the License

RECEIVED

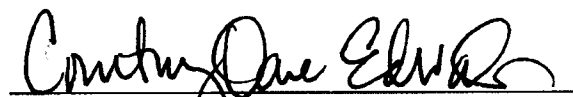
PSC ST  
MAIL / DMS

Decal Application Form and appropriate license decal fee as required by 26 S.C. Code Ann. Regs. 103-151 (1), the records inspection as required by 26 S.C. Code Ann. Regs. 103-133 (7), and/or the vehicle(s) inspection as required by 26 S.C. Code Ann. Regs. 103-150, see Attachment A.

2. That as a result of the Applicants failure to provide ORS with the Form E, the appropriate License Decal Application Form and decal fee, the records inspection, and/or the vehicle(s) inspection, the Applicants have failed to comply with the conditions set forth in the Commission Order, and have therefore not been issued a Certificate of Public Convenience and Necessity.

WHEREFORE, ORS moves and requests that the Commission grant this Motion to Rescind the Order Numbers listed in Attachment A, based on the Applicants failure to comply with the terms and conditions of the Orders. Further, ORS requests that subsequent to the issuance of the Commission Order in this matter that these Dockets be closed.

SOUTH CAROLINA OFFICE OF REGULATORY STAFF



Courtney Dare Edwards, Esquire

**OFFICE OF REGULATORY STAFF**

1401 Main Street, Suite 900

Columbia, SC 29201

Phone: (803) 737-0800

Fax: (803) 737-0895

Email: [cedwards@regstaff.sc.gov](mailto:cedwards@regstaff.sc.gov)

September 6, 2012  
Columbia, South Carolina

**ATTACHMENT A**

**BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA**

**August 23, 2012**

IN RE:	Applications for Class C Charter Certificates of Public Convenience and Necessity of Certain Motor Carriers	Affidavit of Carole Chauvin
--------	---	--------------------------------

The Affiant, after having been first duly sworn, deposes and states as follows:

- 1) My name is Carole Chauvin and I am employed by the Office of Regulatory Staff ("ORS") as a Program Specialist for the Transportation Department.
- 2) My office is located at 1401 Main Street, Suite 900, Columbia, South Carolina, 29201.
- 3) My duties and responsibilities as a Program Specialist for ORS include serving as custodian of records for business filings associated with motor vehicle carriers subject to the jurisdiction of the Public Service Commission ("PSC").
- 4) It is the regular business practice of ORS to maintain certain business records required to be filed by motor vehicle carriers that are subject to the jurisdiction of the PSC.
- 5) As a result of my duties and responsibilities, I have knowledge of the manner in which the books and records are kept and of any books or records which are not complete or which are not on file with ORS.
- 6) On August 23, 2012, I examined the business records on file with ORS.
- 7) As a result of that examination, I attest that the proof of insurance as required by 26 S.C. Code Regs 103-171, the License Decal Application Form and appropriate license decal fee as required by 26 S.C. Code Regs 103-151 (1) and the records inspection as required by 26 S.C. Code Regs 103-133 (7) and the vehicle(s) inspection as required by 26 S.C. Code Regs 103-150 has not been filed with ORS by the following companies as of August 23, 2012:

**Michael Thomas**  
**1998 Philadelphia Street**  
**Darlington, SC 29532**  
**Docket No. 2012-46-T**  
**Order No. 2012-105**  
**Date of Order: 2/27/2012**

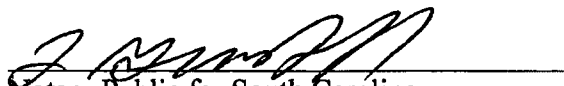
Robert P. Magee  
DBA Cash's Charter  
PO Box 3388  
Myrtle Beach, SC 29578  
Docket No. 2011-357-T  
Order No. 2011-679  
Date of Order: 9/23/2011

AND FURTHER THE AFFIANT SAYETH NOT.

*Carole Chauvin*

Carole Chauvin  
Program Specialist, Transportation Department  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, South Carolina 29201

Sworn and subscribed before me  
this 23<sup>rd</sup> day of August, 20 12

  
Notary Public for South Carolina  
My Commission Expires: 2/10/20


**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**  
**DOCKET NO. 2012- -T**

IN RE:	Petition of the Office of Regulatory Staff to	)	
	Rescind the Order of the Public Service	)	
	Commission Granting Class C Charter	)	<b>CERTIFICATE OF</b>
	Certificates of Public Convenience And	)	<b>SERVICE</b>
	Necessity to Certain Motor Carriers For Failure	)	
	to Comply with Their Commission Order	)	

This is to certify that I, Faith E. Shehane, have this date served one (1) copy of the **MOTION TO RESCIND COMMISSION ORDERS** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

Michael Thomas  
1998 Philadelphia Street  
Darlington, SC 29532

Robert P. Magee  
d/b/a Cash's Charter  
PO Box 3388  
Myrtle Beach, SC 29578

  
Faith E. Shehane

September 6, 2012  
Columbia, South Carolina